

109TH CONGRESS
2D SESSION

H. R. 5907

To amend title XVIII of the Social Security Act to reduce cost-sharing under part D of such title for certain non-institutionalized full-benefit dual eligible individuals.

IN THE HOUSE OF REPRESENTATIVES

JULY 26, 2006

Mr. RAMSTAD introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend title XVIII of the Social Security Act to reduce cost-sharing under part D of such title for certain non-institutionalized full-benefit dual eligible individuals.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Medicare Part D Home
5 and Community Services Copayment Equity Act of 2006”.

1 **SEC. 2. ELIMINATION OF PART D COST-SHARING FOR CER-**
2 **TAIN NON-INSTITUTIONALIZED FULL-BEN-**
3 **EFIT DUAL ELIGIBLE INDIVIDUALS.**

4 (a) IN GENERAL.—Section 1860D–14(a)(1)(D)(i) of
5 the Social Security Act (42 U.S.C. 1395w–
6 114(a)(1)(D)(i)) is amended—

7 (1) in the heading, by striking “INSTITU-
8 TIONALIZED INDIVIDUALS.—In” and inserting
9 “ELIMINATION OF COST-SHARING FOR CERTAIN
10 FULL-BENEFIT DUAL ELIGIBLE INDIVIDUALS.—

11 “(I) INSTITUTIONALIZED INDIVIDUALS.—In”; and
12

13 (2) by adding at the end the following new sub-
14 clauses:

15 “(II) CERTAIN OTHER INDIVIDUALS.—In the case of an individual
16 who is a full-benefit dual eligible indi-
17 vidual and who is a resident of a facil-
18 ity described in subclause (III) or who
19 is receiving home and community-
20 based services in a home setting pro-
21 vided under a home and community-
22 based waiver approved for the State
23 under section 1915 or 1115, the elimi-
24 nation of any beneficiary coinsurance
25 described in section 1860D–2(b)(2)
26

1 (for all amounts through the total
2 amount of expenditures at which ben-
3 efits are available under section
4 1860D–2(b)(4)).

5 “(III) FACILITY DESCRIBED.—
6 For purposes of subclause (II), a fa-
7 cility described in this subclause is an
8 assisted living facility or a resident
9 care program facility (as such terms
10 are defined by the Secretary), a board
11 and care facility (as defined in section
12 1903(q)(4)(B)), or any other licenced
13 facility determined appropriate by the
14 Secretary, including a psychiatric
15 health facility, a mental health reha-
16 bilitation center, and a mental retar-
17 dation developmental disability facil-
18 ity.”.

19 (b) EFFECTIVE DATE.—The amendments made by
20 subsection (a) shall apply to drugs dispensed on or after
21 the date of the enactment of this Act.

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